



W.P(MD)No.28847 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.01.2023

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THE HONOURABLE **MR.JUSTICE G.R.SWAMINATHAN**

W.P(MD)No.28847 of 2022

Paul Ravichandran

... Petitioner

Vs.

1.The Regional Passport Officer,
Bharathi Ula Veethi,
Race Course Road,
Madurai-625 002.

2.The Inspector of Police,
Kallikudi Police Station,
Thirumangalam Taluk,
Madurai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the first respondent to renew the petitioner's Passport No.K2501653 based on the representation. dated 02.08.2022, within the time frame stipulated by this Court.

For Petitioner : Mr.VP.Rajan

For R-1 : Mr.V.J.Kumaravel
Senior Panel Counsel

For R-2 : Mr.R.Sivakumar
Government Advocate (Crl. Side)



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ORDER

Heard the learned counsel on either side.

2. The petitioner seeks issuance of passport. He submitted an application before the first respondent. Apprehending that it may not be processed in view of his involvement in a criminal case, the present writ petition came to be filed.

3. When the matter was taken up for hearing, the learned Government Advocate (Criminal Side) submitted that the petitioner is shown as accused in Crime No.194 of 2016 registered on the file of Kallikudi police station, Madurai. However, he admitted that final report is yet to be filed. Since the case is pending only at the FIR stage, there is no impediment for the first respondent to grant the relief sought for in the writ petition.

4. However, the petitioner has to appear before the second respondent and file an affidavit indicating his contact details. The petitioner has to furnish his mobile phone details as well as email details. This is because if any final report is filed adverse to the petitioner and the same is taken on file by the jurisdictional Magistrate, it would be possible to serve summons on the petitioner. The petitioner also must give an undertaking that the prosecution



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initiated against him will not be stalled, on account of his absence in India. If necessary, the petitioner will have to execute Special Vakalath in future so that he can be represented in the proceedings.

5. The petitioner shall file such an affidavit before the second respondent within a period of two weeks from the date of receipt of a copy of this order. After complying with the terms set out in the aforesaid undertaking, the first respondent is directed to process the petition mentioned application and issue passport subject to fulfilment of the other usual formalities. This writ petition stands allowed. There shall be no order as to costs.

20.01.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
Btr

To

1.The Regional Passport Officer,
Bharathi Ula Veethi,
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2.The Inspector of Police,
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G.R.SWAMINATHAN, J.

Btr

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